Hindustan Fertilizer.. Corporation..

2902. SHRI O. J. JOSEPH: Will the Minister of LABOUR be pleased to state:

(a) whether it is a fact that the Hindustan Fertilizer Corporation (Case No. DL 4869) has applied for exemption from Family Pension Fund Scheme under Section 17 (2A) of the Act; and

(b) if so, what action has been taken thereon?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI T. ANJAIAH): (a) and (b) The Provident Fund authorities are reported to have found certain discrepancies in the Family Pension Scheme of the company and that has been returned to them for rectification. The question of grant of exemption to the company from the operation of the Employees' Family Pension Scheme may, therefore, be considered after the company removes the discrepancies pointed out to them and comes up with the modified scheme.

Rest allowed to workers during duty hours

2903. SHRI O. J. JOSEPH: Will the Minister of LABOUR be pleased to state:

(a) whether the industrial workers are required to be given half an hour rest before completing 5 hours of duty;

(b) if so, whether all the railway workers are being given this rest; and

(c) if not, what are the reasons therefor?

THE MINISTRY OF STATE OF THE MNISTRY OF LABOUR (SHRI T. ANJAIAH) (a) Yes, Sir. Section 55 of the Factories Act, 1948 provides for half an hour rest before completing 5 hours of work for industrial adult workers, excepting in cases where exemptions are given.

(b) and (c) In so far as the Railways are concerned the working hours and rest of railway employees are generally governed either by the Factories Act or by Chapter VIA of the Indian Railways Act, Rules and Subsidiary Instructions issued thereunder. The daily rest intervals as required under Factories Act are provided to railway employees governed by the Factories Act. Chapter VIA of the Indian Railways Act and the Rules framed thereunder do not provide for grant of daily rest interval nor is it feasible to grant such rest, particularly in case of operating staff like Drivers, Guards, etc. in view of the nature of Railway Operations.

Non-percolation of benefits to beedi workers

2904. SHRI O. J. JOSEPH: Will the Minister of LABOUR be pleased to state:

(a) whether Government have received complaints about non-percolation of benefits to the Beedi workers of Tripura, Bihar, etc.; and

(b) if so, what steps have been taken in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI T. ANJAIAH): (a) Yes, Sir. The hon'ble Member had raised the issue of non-percolation of benefits to Beedi workers in the Consultative Committee of Parliament on 29-10-1985.

(b) In Tripura a static-cum-Mobile Dispensary had been functioning exclusively for these workers. In Bihar there is a State Advisory Committee for Beedi Workers. This Committee meets regularly. There are 9 static-cum-mobile dispensaries and 2 static dispensaries run under the Beedi Workers Welfare Fund. Besides 240 & 83 Beedi Workers suffering from T. B. were given treatment in OPD & IPD respectively at the T. B. Hospital, Karma during 1984-85.

Beedi Workers can also avail off free medical facility for themselves and their family members from the 24 medical institutions which have been set up in Bihar under other Welfare Funds namely: Limestone and Dolomite Mines Labour Welfare Fund, Mica Mines Labour Welfare Fund & Iron Managenese Ore &

Chrome Ore Mines Labour Welfare Fund.

The budget provision has been enhanced from Rs. 10,000 to Rs. 20,000 and from Rs. 20,000 to 30,000 for the Mobile/Static and Static-Mobile dispensaries respectively with effect from 1st April, 1985. An amount of Rs. 3,88,055/- was disbursed as Scholarship to the children of Beedi Workers during 1984-85 in Bihar.

Industrial Tribunals

2905. SHRI O. J. JOSEPH: Will the Minister of LABOUR be pleased to state:

(a) whether it is a fact that several Industrial Tribunals appointed by Government are unable to function because there are no judges; if so, what are the details thereof, Statewise;

(b) whether Government have received any representation in this regard; and

(c) if so, what decision has been taken thereon?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI T. ANJAIAH): (a) to (c) The Central Government is concerned with tral Government Industrial Tribunals cum-Labour Courts under the Industrial Disputes Act, 1947, to deal with the disputes falling within the Central Sphere. At present 10 such Central Tribunals are functioning. Three posts of Presiding Officers, Central Government Industrial Tribunal *cum-Labour Courts* No. 1 Dhanbad (Bihar). Asansol (West Bengal) and New Delhi are lying vacant at present.

Some representations relating to filling up of vacancies in the Central Industrial Tribunals have been received. The Ministry has since called for a panel of eligible Judicial Officer, who are willing to be considered for appointment for the post of Presiding Officers Central Industrial Tribunals from the States/Union Territory in which the courts are located and also neighbouring States. The recommendations of States/Union Territory are still awaited.

Disputes between Parle Beverages Bombay and Excise Department

2906. SHRI KALPNATH RAI: Will the Minister of FINANCE be pleased to state:

(a) whether the dispute between Parle Beverages, Bombay and Excise Department regarding the assessable value has been settled;

(b) if so, what are the details in this regard;

(c) whether any discrepancies have been noticed by Government during the assessment of excise duty; and

(d) if so, what action has been taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHAN POOJARI): (a) and (b) M/s. Parle Beverages (P) Ltd., Bombay are manufacturers of aerated water. Central excise duty on this item is being levied at specific rates with effect from 1-3-1983. As such, assessable value is not material at present for levy of Central excise duty. However, there were cases of short payment of duty by this company partaining to periods prior to 28-2-1983, when assessment was based on wholesale cash price. Out of the four sets of such cases, two sets of cases have been decided, in one of which the company has filed a writ petition in the Bombay High Court challenging the decision of Collector of Central Excise, Bombay. The other two sets of cases are pending adjudication.

(c) No other discrepancy has been noticed.

(d) Does not arise.